

Rejection of Claims 1-4, 9, 10, 27, and 28 under 35 U.S.C. § 102(a)

Claims 1-4, 9, 10, 27 and 28 are rejected under 35 U.S.C. § 102(a) as being anticipated by Koza, *J. Am. Chem. Soc.* 2(6) 815-17 (2000) ("Koza").

The Koza reference represents Applicants' own work, published within one year of the filing of the present application, and cannot be used against Applicants under 35 U.S.C. § 102(a). *In re Katz*, 687 F.2d 450, 215 USPQ 14 (CCPA 1958).

Therefore, Applicants respectfully request that this rejection of claims 1-4, 9, 10, 27 and 28 under 35 U.S.C. § 102(a) be withdrawn.

Rejection of Claims 1-28 under 35 U.S.C. § 103(a)

Claims 1-28 are rejected under 35 U.S.C. § 103(a) as being anticipated by Koza. According to the Examiner, "the instant claims differ from the reference by reciting compounds not exemplified by the reference."

The Koza reference represents Applicants' own work, published within one year of the filing of the present application, and cannot be used against Applicants under 35 U.S.C. § 102(a). *In re Katz*, 687 F.2d 450, 215 USPQ 14 (CCPA 1958).

Therefore, Applicants respectfully request that this rejection of claims 1-28 under 35 U.S.C. § 103(a) be withdrawn.


SUMMARY

In view of the above remarks and amendments, it is believed that this application is in condition for allowance. If a telephone conversation with Applicant's Attorney would expedite prosecution of the above-identified application, the Examiner is urged to call Elizabeth A. Hanley, Esq. at (617) 227-7400.

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Respectfully Submitted,
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By


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